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MR. DUANE HYLTON  
MGI PHARMA, INC.  
6611 TRIBUTARY STREET  
BALTIMORE, MD 21224

In re Patent No. 6,376,517  
Issued: April 23, 2002  
Application No. 09/134,417  
Filed: August 14, 1998  
Patentee: Douglas T. Ross, et al.

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: NOTICE  
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This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application no longer qualifies for small entity status. Accordingly, all future fees must be paid at the large entity rate.

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions